

***USAREUR Regulation 190-62**

Military Police

Police and Investigation Services: Employment and Authority of Military Police, Unit Police, and Courtesy Patrols

3 July 2000

***This regulation supersedes USAREUR Regulation 190-62, 9 February 1995.**

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Summary. This regulation prescribes policy on military law-enforcement in USAREUR.

Summary of Change. This regulation assigns responsibility for transient-security operations to the Commander, 21st Theater Support Command (Provisional).

Applicability. This regulation applies to USAREUR commands listed in UR 10-5, appendix A.

Supplementation. Commanders will not supplement this regulation without the Commanding General, USAREUR/7A (AEAPM-O-LE), approval.

Forms. USAREUR and higher-level forms (printed and electronic) are available through the USAREUR Publications System (UPUBS) at <http://upubs.army.mil>.

Suggested Improvements. The proponent of this regulation is the Office of the Provost Marshal, HQ USAREUR/7A (AEAPM-O-LE, 381-8906). Users may suggest improvements to this regulation by sending a DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the CG, USAREUR/7A, ATTN: AEAPM-O-LE, Unit 29931, APO AE 09086.

Distribution. This regulation is available only in electronic format.

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SECTION I INTRODUCTION

1. PURPOSE

This regulation--

- a. Assigns responsibility for military police (MP) and criminal investigation in USAREUR.
- b. Establishes policy and procedures for selecting and using MP, unit police (UP), and courtesy patrols (CPs).
- c. Outlines MP, UP, and CP jurisdiction and authority in Germany (GE).

2. REFERENCES

Appendix A lists references.

3. EXPLANATION OF ABBREVIATIONS AND TERMS

- a. **Abbreviations.** The electronic glossary defines abbreviations.
- b. **Terms.** The following terms are used in this regulation:

Non-unit configured

Arms, ammunition and explosives that have been repacked by other than the manufacturer.

Transit-security operations

The movement and security of non-unit configured items.

SECTION II RESPONSIBILITIES

4. OFFICE OF THE PROVOST MARSHAL (OPM), HQ USAREUR/7A

The OPM will--

- a. Advise the CG, USAREUR/7A, and HQ USAREUR/7A staff principals on MP operations, plans, and policy.
- b. Oversee USAREUR customs and confinement operations.
- c. Provide the 5th Military Police Detachment (Criminal Investigation Command) (5th MP Det (CID)) with requested support.
- d. Conduct staff-assistance visits and inspections of the area support group (ASG) and base support battalion (BSB) provost marshal (PM) offices.
- e. Develop plans for mobilizing and deploying the USAREUR MP force.
- f. Coordinate and standardize MP operations in ASGs.
- g. Maintain communication with host-nation (HN) customs, police, and traffic authorities.
- h. Coordinate with the United States Federal Protective Service Police and related agencies, when appropriate.

- i. Exercise staff supervision over serious incident reports (UR 190-40).
- j. Provide technical expertise to the Commander, Seventh Army Training Command, on USAREUR MP training courses.
- k. Provide technical support for MP computer systems.
- l. Supervise the USAREUR Registry of Motor Vehicles.

5. COMMANDING GENERAL, 21ST THEATER-SUPPORT COMMAND (PROVISIONAL) (21ST TSC (PROV))

The Commanding General, 21st TSC (Prov), is--

- a. Responsible for MP support of transit-security operations involving the movement of non-unit-configured arms, ammunition, explosives, and classified equipment.
- b. The USAREUR adviser on transit-security operations.

6. COMMANDER, 5TH MP DET (CID)

The Commander, 5th MP Det (CID), will--

- a. Provide criminal investigative services (AR 190-45 and US 1) to USAREUR commands (UR 10-5, app A).
- b. Conduct USAREUR crime-prevention programs.

7. ASG AND BSB COMMANDERS

ASG and BSB commanders will--

- a. Provide MP services, excluding customs, confinement, and rail security, in their areas of responsibility.
- b. Coordinate with HN police and MP of other services stationed in the same geographic area. Coordination may include-

- (1) Deciding areas of responsibility.
- (2) Investigating offenses.
- (3) Operating MP stations.
- (4) Crime and accident prevention.

c. Avoid unnecessary duplication of functions or operations. When practical and economical, BSB commanders may provide MP service, or accept it from, other United States European Command units.

- d. Provide required equipment to UP and CPs.

SECTION III MILITARY POLICE

8. RESPONSIBILITIES

MP--

- a. Maintain on-post order and security.
- b. Exercise law-enforcement authority on post.
- c. Patrol off post to ensure U.S. active-duty members obey the laws of the HN and Status of Forces Agreement (SOFA).

9. SERVICES

MP services include--

- a. Customs control when requested by HN governments and U.S. customs activities.
- b. Police- and investigative-operations that are not the responsibility of the United States Army Criminal Investigation Command.
- c. Traffic-safety and traffic-law enforcement.
- d. Accident investigation.
- e. Criminal investigation (AR 190-30 and UR 190-30).
- f. Maintaining discipline and order.
- g. Maintaining military working-dog programs.
- h. Operating the United States Army Confinement Facility, Mannheim.
- i. Overseeing privately owned vehicle (POV) and firearm registration.
- j. Providing escorts.
- k. Providing physical security.

10. STANDARDS

- a. Members of the MP force will demonstrate the highest standards of courtesy, discipline, integrity, and military bearing as stated in AR 190-13, AR 190-30, DA Pamphlet 611-21, and UR 190-30.
- b. Commanders have the authority to--
 - (1) Reclassify MP who do not meet or maintain standards.
 - (2) Keep a reclassified soldier in the same unit.
 - (3) Report reclassified soldiers as excess to the next higher command.
- c. Commanders will not reclassify a soldier as an alternative to--
 - (1) Administrative separation.
 - (2) Disciplinary action.
 - (3) Other more appropriate actions.

11. RESTRICTIONS

- a. On-duty MP will not be used as--
 - (1) UP or CP.
 - (2) Interior or gate guards for an installation or activity. ASG commanders may make exceptions.
 - (3) Escorts on public carriers.
 - (4) Schoolbus escorts or school-crossing guards.

b. MP will not be used solely as honor guards or be assigned any other duties not directly related to career management field 95, unless approved by the OPM.

c. The policy in a and b above does not--

(1) Prevent MP from supporting base operations when tasked by appropriate authorities.

(2) Limit MP authority only to enforcing the Uniform Code of Military Justice (UCMJ).

12. FIREARMS

AR 190-14 prescribes the use of firearms. CPs will not carry firearms. Additional restrictions may apply based on HN law and the SOFA.

13. AUTHORITY

U.S. laws, regulations, and international agreements govern MP authority in USAREUR. MP have law-enforcement authority over U.S. military and civilian personnel. MP authority over HN and third-country civilians varies from country to country. In GE, MP may--

a. Detain HN and third-country civilians for release to local authorities only if--

(1) The person is caught committing a crime and the identity of the person cannot immediately be established or there is reason to believe the person may flee.

(2) German authorities request that person be detained.

(3) German police cannot be called in time to detain the person, waiting for German police to arrive creates a dangerous situation, and there is strong reason to suspect the person of a crime.

b. Disarm and search a person if the person is detained under the provisions of a (1) above. MP may seize items in the person's possession that may be evidence of the crime.

c. Make a citizen's arrest under German law. German citizen's arrest laws--

(1) Apply only to criminal acts.

(2) Do not apply to violations of good order, such as disorderly conduct, disturbing the peace, or drunkenness (UP 550-19).

d. Deny entry to or remove persons from an installation for good cause (including violations of discipline and good order). If the removal involves force, MP will call the HN police for assistance.

14. TRAFFIC OFFENSES AND ACCIDENTS

a. MP have the authority to investigate on-post traffic offenses and accidents involving U.S. active duty personnel, local national or third-country personnel, U.S. civilian personnel, or property, regardless of the amount of damage. MP do not need to report traffic offenses to HN police, unless the investigation or the nature of the offense requires HN-police investigation.

b. MP may investigate on-post traffic offenses to preserve law and order. U.S. authorities will not detain, question, or search non-U.S. civilians who object to being detained, questioned, or searched. If the traffic offense involves a crime (for example, manslaughter), paragraph 13 applies.

c. HN police are responsible for off-post traffic enforcement. MP will not patrol off post solely to monitor traffic and will not issue DD Form 1408 (Armed Forces Traffic Ticket). MP may stop or detain POVs off post if the MP can determine that the operator is a member of the U.S. Forces and has committed an offense under the UCMJ (for example, drunken or reckless driving, fleeing the scene of an accident, manslaughter, negligent homicide). MP will not use high-speed pursuit to apprehend suspects, regardless of the violations.

d. MP will not routinely respond to off-post traffic accidents, but may respond--

(1) To serious POV accidents.

(2) When the accident involves vehicles leased, owned, or rented by the U.S. Army.

(3) When the accident involves deaths, injuries, or vehicle damage of \$1,000 or more.

(4) When the accident involves Government personnel (military, family member, civilian employee) and damage to HN property.

SECTION IV UNIT POLICE

15. AUTHORIZATION

BSB commanders will--

a. Make sure UP are necessary before diverting personnel from their normal duty.

b. Minimize the number of personnel diverted to UP duties to ensure discipline and installation security.

c. Divert personnel to UP duties only when other assets (MP and interior guards) cannot be used.

16. DEPLOYMENT

UP may be used--

a. To protect U.S. property.

b. As gate guards, traffic guides, or patrols.

c. To report violations to their chain-of-command. Only UP officers and noncommissioned officers (NCOs) are authorized to apprehend offenders.

d. To maintain discipline and good order among U.S. military personnel.

e. As escorts for on-post employees transporting money or valuables (for example, post exchange and bank employees) BSB commanders will review the use of UP instead of MP escorts each year (para 30).

17. RESTRICTIONS

a. Normally UP will perform police duties only in areas or facilities under U.S. military control.

b. BSB commanders may submit requests through command channels for authority to use UP outside U.S. areas or facilities in Belgium and GE. These requests, with complete justification, will be sent to the Commander, USAREUR/7A, ATTN: AEAPM-O, Unit 29931, APO AE 09086. In Italy, requests will be sent to the Commander, United States Army Southern European Task Force, Unit 31401, APO AE 09630. Intermediate commanders may disapprove requests. The OPM will review authorization to use UP off post each year. BSB commanders will use the same procedure to request the initial and recurring use of UP off post.

c. UP will not investigate crimes, accidents, or issue warrants.

18. SUPERVISION

a. BSB commanders or their authorized representatives will supervise UP operations and ensure UP are equipped to communicate with the MP desk.

b. BSB PMs will provide technical supervision as required.

19. PERSONNEL

a. Unit commanders will select reliable personnel for UP duty. Selected personnel will--

- (1) Demonstrate courtesy, mature judgment, and military bearing.
- (2) Have no record of court-martial convictions.

b. Personnel will be assigned UP duties--

- (1) According to UR 614-4.
- (2) Normally for no more than 90 days in a calendar year.

20. TRAINING

a. BSB commanders--

- (1) Will establish a training program to ensure personnel are trained before they perform UP duties.
- (2) May delegate responsibility for establishing the training program to the BSB PM.

b. Minimum training will include--

- (1) Apprehension, search, and seizure procedures.
- (2) Arm- and hand-signals for traffic control.
- (3) Weapons qualification.
- (4) Use-of-force.
- (5) Use of the MP club.

SECTION V COURTESY PATROLS

21. DEPLOYMENT

a. CPs are used to--

- (1) Enforce military law on and off post. This includes ensuring soldiers comply with courtesy and conduct standards.
- (2) Provide NCO leadership in the community outside normal command channels.
- (3) Apprehend soldiers who violate the UCMJ.
- (4) Help investigate incidents and apprehend offenders when requested by the MP. CPs will not replace off-post MP patrols, but may augment them.
- (5) Stop noisy disputes, fights, or other disorderly conduct when--
 - (a) Only U.S. military members are involved.
 - (b) Requested by HN police and the misconduct involves non-U.S. personnel.

b. CPs will release U.S. offenders to the MP or the offender's unit.

c. CPs will not be used for combined patrols with HN police.

22. PERSONNEL

CPs will--

a. Be made up of sergeants or above.

b. Meet selection criteria in paragraph 19.

c. Be detailed to duty in addition to normal duties.

23. SUPERVISION

An officer or senior NCO will supervise CPs as prescribed by the BSB commander. The BSB commander may delegate operational responsibility for CPs to the BSB PM.

24. RECORDS AND REPORTS

CP supervisors will--

a. Debrief the CP after each tour of duty and record significant information.

b. Report significant information from the debriefings to appropriate officials.

25. EQUIPMENT

BSB commanders will--

a. Select the CP uniform.

b. Decide if the CP will be issued MP clubs. CPs must be trained before being issued clubs.

26. TRAINING

BSB commanders will ensure soldiers are trained before being assigned to serve on a CP. CPs will be made part of and support MP and UP operations.

SECTION VI

EQUIPMENT

27. VEHICLES

a. Marking Vehicles. MP vehicles will be marked on both sides with the words "MILITARY POLICE". Vehicles used in UP and CP operations will be marked in the same manner with either "UNIT POLICE" or "COURTESY PATROL," respectively.

b. Emergency Equipment.

(1) The German Supplementary Agreement to the NATO SOFA, Article 57, permits use of emergency equipment. USAREUR MP vehicles should use emergency lights and an audible warning device (AWD) that meet German industrial standards.

(2) U.S. "yelp" or "wail" sirens are not allowed in GE. USAREUR MP will use only AWDs that produce an alternating high-to-low sound.

(3) USAREUR MP will use only blue lights, with no more than two blue lights per vehicle. Blue lights will be mounted on top of nontactical vehicles, either permanently or on a light bar attached to the rain gutters. Blue lights will be mounted on tactical vehicles according to unit policy. Blue lights may be used without an AWD to--

- (a) Warn motorists of accidents.
- (b) Escort convoys.
- (c) Warn motorists of emergency vehicles or situations.

c. Restrictions.

- (1) Flashing blue lights will not be used solely to gain the right-of-way.
- (2) MP vehicles will use both blue lights and an AWD to respond to serious incidents. MP may use both the blue lights and AWD only when authorized by senior supervisors (for example, duty officer, MP desk sergeant, NCO in charge).
- (3) When authorization is given, drivers will--
 - (a) Comply with speed limits.
 - (b) Go no faster than the maximum speed allowed for the vehicle.
 - (c) Use extreme caution at intersections, entrance and exit ramps, and access roads.
- (4) Use of emergency equipment does not in itself grant the right-of-way to MP vehicles, nor are MP exempt from criminal charges for reckless driving or wanton disregard for the safety of people and property.

28. RADIOS

All commercial radios used for USAREUR law enforcement must meet the data-encryption standard.

29. UNIFORM ACCESSORIES

MP will wear MP brassards, pistol belts, lanyards, and associated law-enforcement equipment when performing official MP duties. Commanders may authorize MP to wear certain accessories to and from work.

**SECTION VII
ESCORTS**

30. REQUESTING ESCORTS

Requests for escorts for money transfers will be coordinated with the BSB PM as follows:

a. Intracommunity Requests. Requests (memorandum, telephone, fax, or e-mail) will include the dates escorts are needed, the courier's name, and the courier's organization. Telephonic requests may be made only Monday through Friday (except American holidays) from 0800 to 1530.

b. Intercommunity Requests. The BSB PM--

- (1) Must receive requests for an escort at least 48 hours before the escort is needed.
- (2) Will give lower priority to requests received less than 48 hours before the escort is needed.
- (3) Will determine the type of escort required.
- (4) Will coordinate with PMs at intermediate stops and with the PM at the intended destination.

c. Special Situations. MP or UP will escort personnel transporting funds during unusual or short-notice situations (for example, if military banking-facility alarms are not working or to increase surveillance of military banking facilities on paydays).

31. DEPLOYMENT

a. Monetary. MP will escort money (\$10,000 or more) for appropriated and nonappropriated fund facilities. The BSB commander may lower this amount based on a local assessment or other requirements. Escorts safeguard couriers and money. Guards will not carry items (for example, money bags) that could impede their ability to provide security. Escorts for private organizations are not required, but may be assigned by the BSB commander.

b. Equipment and Personnel. Escorts should have at least one radio-equipped vehicle and driver armed with a handgun and one-armed guard with a portable radio.

32. PERSONNEL

a. UP may be used instead of MP to escort personnel transporting money.

b. Escort personnel must know--

(1) What to do in threatening situations.

(2) Designated and alternate routes.

APPENDIX A

REFERENCES

NATO Status of Forces Agreement and German Supplementary Agreement

Uniform Code of Military Justice

AR 190-13, The Army Physical Security Program

AR 190-14, Carrying of Firearms and Use of Force for Law Enforcement and Security Duties

AR 190-30, Military Police Investigations

AR 190-45 and US 1, Law Enforcement Reporting

DA Pam 611-21, Military Occupational Classification and Structure

UR 10-5, HQ USAREUR/7A Organization and Responsibilities

UR 190-30, Military Police Investigations

UR 190-40, Serious Incident Report

UR 614-4, USAREUR Policy on Special Duty-Borrowed Military Manpower and Troop Diversion

UP 550-19, Compilation of Selected German Laws

GLOSSARY

Abbreviations.

5th MP Det (CID)

5th Military Police Detachment (Criminal Investigation Division)

21st TSC (Prov)

21st Theater Support Command (Provisional)

AE

Army Europe

APO

Army post office

AR

Army regulation

ASG

area support group

AWD

audible warning device

BSB

base support battalion

CP

courtesy patrol

DA

Department of the Army

DD

Department of Defense

GE

Germany

HQ USAREUR/7A

Headquarters United States Army, Europe, and Seventh Army

MP

Military Police

NATO

Northern Atlantic Treaty Organization

NCO

noncommissioned officer

OPM

Office of the Provost Marshal, HQ USAREUR/7A

Pam

pamphlet

PM

provost marshal

POV

privately owned vehicle

SOFA

status of forces agreement

UCMJ

Uniform Code of Military Justice

UP

unit police

UPUBS

USAREUR Publications

UR

USAREUR regulation

US

USAREUR supplement

U.S.

United States

USAREUR

United States Army, Europe